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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/659,295	09/11/2003	Wolf-Ruediger Schaebitz	242650US0CONT	6092
22850 7590 12/14/2007 OBLON, SPIVAK, MCCLELLAND MAIER & NEUSTADT, P.C. 1940 DUKE STREET ALEXANDRIA, VA 22314				
			EXAMINER BORGEEST, CHRISTINA M	
			ART UNIT 1649	PAPER NUMBER
			NOTIFICATION DATE 12/14/2007	DELIVERY MODE ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

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<b>Interview Summary</b>	Application No.	Applicant(s)	
	10/659,295	SCHAEBITZ ET AL.	
	Examiner	Art Unit	
	Christina Borgeest	1649	

All participants (applicant, applicant's representative, PTO personnel):

- (1) Christina Borgeest, Junior Examiner. (3) Daniel J. Pereira, Applicants' Attorney.  
 (2) Elizabeth Kemmerer, Primary Examiner. (4) \_\_\_\_\_.

Date of Interview: 04 December 2007.

Type: a) ☐ Telephonic b) ☐ Video Conference  
 c) ☒ Personal [copy given to: 1) ☐ applicant 2) ☐ applicant's representative]

Exhibit shown or demonstration conducted: d) ☐ Yes e) ☒ No.  
 If Yes, brief description: \_\_\_\_\_.

Claim(s) discussed: 1, 5-7, 9, 11-14, 16-19 and 105.

Identification of prior art discussed: Chajut et al.; Buschmann et al.; Bouma et al.; all cited in the previous Office action mailed 19 October 2007.

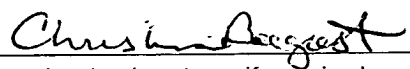
Agreement with respect to the claims f) ☐ was reached. g) ☒ was not reached. h) ☒ N/A.

Substance of Interview including description of the general nature of what was agreed to if an agreement was reached, or any other comments: See Continuation Sheet.

(A fuller description, if necessary, and a copy of the amendments which the examiner agreed would render the claims allowable, if available, must be attached. Also, where no copy of the amendments that would render the claims allowable is available, a summary thereof must be attached.)

THE FORMAL WRITTEN REPLY TO THE LAST OFFICE ACTION MUST INCLUDE THE SUBSTANCE OF THE INTERVIEW. (See MPEP Section 713.04). If a reply to the last Office action has already been filed, APPLICANT IS GIVEN A NON-EXTENDABLE PERIOD OF THE LONGER OF ONE MONTH OR THIRTY DAYS FROM THIS INTERVIEW DATE, OR THE MAILING DATE OF THIS INTERVIEW SUMMARY FORM, WHICHEVER IS LATER, TO FILE A STATEMENT OF THE SUBSTANCE OF THE INTERVIEW. See Summary of Record of Interview requirements on reverse side or on attached sheet.

Examiner Note: You must sign this form unless it is an Attachment to a signed Office action.

  
 Examiner's signature, if required

Continuation of Substance of Interview including description of the general nature of what was agreed to if an agreement was reached, or any other comments: Regarding, 102(e), Attorney indicated that Chajut et al. is abandoned. Regarding 112, 1, Attorney indicated G-CSF is old in the art and Applicants gave a representative sampling in the specification, i.e., they were trying to reflect the breadth of what is known in the art. Examiner Kemmerer indicated that in the absence of evidence, 95% identity with activity limitation is considered acceptable, but that 90% identity is acceptable if accompanied by evidence (sequence alignment showing that variants having 90% are active). Examiner Kemmerer mentioned that "modified polypeptide" is extremely broad, but that "peptidomimetic" might be acceptable if accompanied by evidence. Regarding the 103, Attorney says that Bouma et al. is speculative at best. Applicants' attorney made mention of the Examiner's comment with regard to p. 34 of the specification ("most neuroprotectants found to be effective in models of experimental stroke are also effective in models of experimental traumatic brain injury"); however that it first must be known that G-CSF is neuroprotective and Buschman is talking about stroke and that blood flow during stroke does not equal neuroprotection, i.e., Applicants' appreciate a different mechanism, which Attorney asserts is relevant to a rejection under 35 U.S.C. 103. Examiner Kemmerer suggests Applicants might try to argue unexpected results or alternatively, counterevidence disputing Bouma et al., who says that stroke and traumatic brain injury may share the same pathophysiological mechanisms.